



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

SEVEN YEARS OF CHILD LABOR REFORM

BY OWEN R. LOVEJOY,
General Secretary, National Child Labor Committee.

At the completion of seven years of work for the improvement of child labor conditions in America, it is fitting that the National Child Labor Committee should present a concrete statement of its record. This is important, not so much in justification of the policies and expenditures of the committee, in order that the public may judge whether we are worthy further support and co-operation, but especially that we may estimate the extent to which the American people have awakened in opposition to this national vice, in order more accurately to judge the possibilities that lie ahead.

When this Committee was formed seven years ago, there was no accepted national standard of protection against the abuses of child exploitation. The trade unions were committed to an eight-hour-day; some of the woman's clubs, to the general abolition of child labor; and the Socialist Party to the elimination of all children under sixteen from wage-earning industries. But the trade union was accused of selfishness; the woman's clubs were charged with feminine sentiment, and the Socialist Party was ignored as without power and influence. The general public, indeed, had not awakened to a realization that such an evil existed, and except for the Consumers' League and a respectable number of enlightened individuals, child labor in America may be said to have been without an enemy. We were chiefly interested in the subject as an academic theme, enabling the eloquent portrayal of the greed and cruelty of European civilizations.

Then rapidly, as public intelligence and interest are wont to grow, there swept over the face of the country the exciting news that child labor existed in America, that the coal mines, glass factories, cotton and silk mills, cigar and cigarette factories, and even our public streets were the scenes of hardship, danger and oppression to the tender bodies and souls of little boys and girls. At this point a group of the more calm and discerning of those who were

horrified by the evil decided to band themselves together for the purpose of conserving this public interest and seeking to direct it into definite channels of activity, in order that the sentiment against child labor should not spend its force in futile denunciation, but should realize improvement through definite results.

And it is to the credit of the South, a tribute which we gladly pay, that the initial suggestion of such a militant band on a national scale originated with a citizen of your own commonwealth. After a struggle with the mercenary elements of Alabama to wrest from their control the lives of hundreds of little children and to secure to them the opportunities which childhood may fairly claim, it seemed to Mr. Edgar Gardner Murphy, who led the fight, that an interchange of thought and experience among citizens of the various commonwealths would so unite and direct the work of reform as to hasten the day of child freedom.

From a membership of less than fifty people, the Committee has grown, in seven years, to a contributing membership of more than 5,000, who cover an annual budget of nearly \$60,000. Twenty-seven state and local committees are affiliated and the Committee is in definite co-operation with educators, medical experts, jurists, reform agencies, relief societies, woman's clubs, trade unions, manufacturers' organizations, churches, and all agencies working for the protection of child life.

While we do not look upon the enactment of child labor laws as more important than their enforcement, or than the constructive policies which seek to provide the child, excluded from prohibited industries, the physical, mental and moral opportunities needed to develop efficient citizenship, yet the changes secured in child labor laws within the past seven years will perhaps measure more accurately than anything else the extent to which the public is awake to the importance of safeguarding the child.

Standards of Protection

Before recording these specific results, however, we need to state briefly the standards aimed at—the principles upon which adequate laws for such protection seem to us to be based. The word "child" covers so wide a span in human life, we recognize that some children should not be employed at all, while others may wisely contribute to their own support and to social wealth. Obvi-

ously no child should be subjected to industrial burdens too heavy, either because of youth or because of physical or mental weakness; also, obviously, in seeking legislation to protect such children, some arbitrary line must be drawn. Without entering into detail, we may note that the recognized standard of all civilized nations excludes the child under fourteen years from the field of competitive industry. This we have adopted as a minimum standard, below which no community, alert to its larger interest, can afford to fall. We recognize that such an age test is arbitrary; that some children are more advanced than others, and we welcome all results of physiological investigations which may fix more accurate and scientific standards. But for the present we are safe, since this point in age is intended to apply to the most advanced, while those who fall below, either as to physical or mental growth, are to be still further safeguarded, until sufficiently developed to venture upon the minimum industrial hazard.

The other classes of children for whose employment regulation rather than prohibition is sought are those between fourteen and twenty-one years of age. The state is the natural guardian and protector of all minor children, and it is our contention that the labor of all minors should be regulated in harmony with principles that conserve individual and social interests.

To illustrate: our Federal Government is on record in favor of a maximum eight-hour day for men in government contracts and many other lines of Federal activity. Similarly, many states have established the eight-hour day, both in relation to state contracts and the treatment of convicts in penitentiaries and reformatories. Recent utterances from high medical authority testify to the danger, especially to women, from the toxin of fatigue. Obviously a day long enough for adult men and women is not too short for undeveloped children. We therefore seek to establish as rapidly as possible a maximum of eight hours in the daily labor of children in manufacturing and mercantile pursuits.

It is also the prevailing testimony of medical authorities that hard work is more injurious by night than by day. Practically every physician will unhesitatingly affirm that during youth and adolescence the human life should be protected through regular hours of rest, recreation and feeding, and we therefore contend that children under sixteen years of age should be prohibited from such occupations as demand their service at night.

Industrial Hazards

Statisticians everywhere recognize a certain hazard in industry, and a body of legislation is being created in this country for the purpose of laying upon society and upon the industries involved, a larger share of the burden which now falls so heavily upon those injured in mines, factories, workshops and transportation operations. The principle of social responsibility, already fairly recognized, is especially applicable to children. Not only are children less intelligent, less cautious and less able to defend their own rights, but their physical inferiority subjects them to dangers which do not threaten the adult. Reports from the few states which have taken the matter of child exposure in industry seriously enough to report upon it, indicate that children sixteen years of age and under are injured or killed at a ratio startlingly higher than are adults in the same industries. The percentages run from 250 in one state, to 450 in another. We acknowledge that statistical reports are meager, and that many sections of the country are entirely devoid of this information. However, we have considered it important that a committee formed to protect the interests of working children should not wait until a complete body of statistics had been gathered, but should at once attempt to correct an abuse which obviously threatens the safety of the young. Therefore, leaving to statistical experts and medical scientists the more satisfying work of determining the exact extent of accidents to working children, we have set ourselves to the humbler task of arousing public interest and securing legislation against this sacrifice, on the assumption that children are unsafe industrial risks, and that child labor in certain specific dangerous occupations may without injury to society be suspended to the age of sixteen, eighteen or even twenty-one.

We shall not enter into the more distinctly technical phases of the problem of child labor legislation, but it should not be overlooked that laws which seek to establish protection for children must provide methods and machinery for administration so as to dignify the legislation by serious attention to its operation. Factory inspection departments, birth registration, a system of certification which shall prove beyond question the age and development of the child in question, are all matters claiming serious attention.

Summary of Legislation

Measured by the foregoing, the outline of achievements of the American people in developing legislation to protect the working child may be seen at a glance by the following schedules:

1. During seven years five states passed their first law upon this subject: Delaware, Florida, Georgia, Mississippi, Oklahoma, and the District of Columbia.

2. The eight-hour day has been established in Ohio, Illinois, Indiana, Nebraska, New York, Wisconsin, Colorado, Oklahoma, North Dakota, Kansas, and the District of Columbia.

3. Night work under sixteen years has been made illegal in Alabama, California, Delaware, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, New Jersey, North Dakota, Oklahoma, Rhode Island, South Carolina, Vermont, Washington, and the District of Columbia.

4. A fourteen-year-age limit as the minimum for employment in industry has been established in the following states: California, Colorado, Delaware, Idaho, Iowa, Kentucky, Louisiana, Maine, Missouri, Nebraska, Pennsylvania, North Dakota, New Jersey, Tennessee, West Virginia, Rhode Island, Kansas, and the District of Columbia.

5. Departments of factory inspection have been established in Alabama, Colorado, Delaware, Kansas, Louisiana, Maryland, North Dakota, Oklahoma, South Carolina, Texas, Tennessee, Virginia, and the District of Columbia.

6. Methods of proving the age of children seeking employment have been provided in the following: California, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Missouri, Nebraska, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, Washington, Wisconsin, and the District of Columbia.

Meantime, compulsory education laws have been enacted or improved in a large number of states.

Serious Defects

It might appear from this record that so much has been accomplished the public could reasonably rest. We are apt to forget how large a country we have. There are still seven of our states which have not yet reached the fourteen-year-age limit, even for employ-

ment in factories. These states are: North Carolina, Maryland, Alabama, Florida, Georgia, Mississippi, South Carolina.

Alabama, Florida, Maryland, North Carolina, North Dakota, Pennsylvania, South Carolina, Virginia permit the employment of boys of twelve years in mines.

Children under sixteen are still permitted to work at night in Arizona, Colorado, Connecticut, Delaware, Maine, Maryland, Montana, Nevada, New Hampshire, South Dakota, Tennessee, Utah, West Virginia and Wyoming.

There are thirty-five states in the Union in which children under sixteen years of age may work more than eight hours a day. Recently there has been widespread complaint against confinement of children in poorly ventilated school rooms, where they spend the day in physical inactivity. Rapid improvement is coming in our schools through open air class rooms and the development of manual arts, so that the evil complained of is decreasing; but if confinement in a school room is injurious, what shall be said of the factory, where frequently the labor of the child also compels physical inaction at the almost automatic machine? Under the most objectionable conditions, the child is confined in school 1,000 hours annually. In Massachusetts the factory child is confined 2,912 hours a year, and in New York, where the eight-hour day prevails, he is subjected to 2,496 hours' confinement. In Alabama a child of twelve years may legally work 3,120 hours a year, or more than three times as many hours as he can be confined in school in states having the nine or ten months' school year; while children of fourteen years may be employed seventy-eight hours a week or 4,056 hours a year. The total number of hours of daylight in the year, exclusive of Sundays, is 3,744, so that the manufacturing industries of this state may legally employ their fourteen-year-old children 312 hours of the night beside all the hours of daylight.

In twenty-three of our states there is up to the present time no method of determining how old the children are who seek work in our industries. Our agents have frequently found eight, nine and ten-year-old boys applying for work in glass factories or coal mines, upon affidavits certifying them to be fourteen or sixteen years of age. In all these efforts at reform we must keep in mind the honor and dignity of our social institutions, and nothing is more fatal to the integrity of the American people than contempt for its

own laws. When, by the very nature of the problem we lay upon the ignorant, impoverished or greedy parent the temptation to deceive in order to secure employment for a child, we are guilty of placing the burden on the weak, where it does not belong, and promoting perjury by process of law.

The states in which we do not require any proof of the child's age, or at least any proof worthy the name, are Colorado, Florida, Louisiana, Nevada, South Dakota, Texas, Utah, Vermont, Virginia, Wyoming, Alabama, Arkansas, Delaware, Georgia, Idaho, Indiana, Missouri, Mississippi, New Hampshire, North Carolina, South Carolina, and Tennessee.

It is necessary that the laws to which we have referred shall be in charge of public officials, clothed with adequate authority to enforce them. At present, Arkansas, Florida, Georgia, Nevada, North Carolina, Utah and Wyoming have no department entrusted with this duty, while the factory inspector in Missouri has jurisdiction only in the large cities; the factory inspector in Louisiana only in the Parish of New Orleans; the factory inspector in Alabama is also required to visit and report on jails and almshouses; and the Governor of South Carolina has within two weeks vetoed the appropriation made by the legislature for the two factory inspectors who, during the past two years, have assisted the Commissioner of Labor in laying the foundation of this branch of public service.

It will be recognized from the foregoing tables that the problem of bringing the states of this Union up to a reasonable standard of child protection is complicated and difficult. It will be seen also that the lower standards as to age, hours of labor, and methods of enforcing the law are, with few exceptions, much inferior in the South to the standards attained in Northern and Western States. And while we of the North, with shame, confess that the extent of child labor in our great industrial communities overshadows child labor of the South, the phenomenal industrial development in many of your Southern sections indicates that the time is near at hand when the South will rival the older industrial communities in the extent of manufacturing and commercial operations, and that unless the South speedily improves the laws now upon her statute books, the curse of child labor will rest more heavily upon her communities than upon others.

We believe the record of the past seven years gives promise

that the American people are ready to rally to the establishment of laws which, throughout the nation, shall guarantee to every child an adequate opportunity to play and grow and learn, and that we shall soon permit ourselves to be brought among those nations truly civilized that recognize in their child-life the most valuable asset among all their treasures. To the realization of this high standard the National Child Labor Committee is committed, and confidently solicits the co-operation of all who believe in lifting from the bent shoulders of the little child the burdens that now crush him.